

FILED
AO 91 (Rev. 08/09) Criminal Complaint

DEC 04 2015

UNITED STATES DISTRICT COURT

SUSAN Y. SOONG
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

for the
Northern District of California

SK

United States of America
v.
WEN BING LEI, a/k/a RAYMOND LEI

3-15-71548

Case No.

SAN FRANCISCO VENUE

Defendant(s)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of 2/27/2006 in the county of San Francisco in the
Northern District of California, the defendant(s) violated:

Code Section

Offense Description

Title 18, United States Code,
Section 1959(a)(1)(5)

"Whoever, as a consideration for the receipt of, or as consideration for a promise or agreement to pay, anything of pecuniary value from an enterprise engaged in racketeering activity, or for the purpose of gaining entrance to or maintaining or increasing position in an enterprise engaged in racketeering activity, murders... or threatens to commit a crime of violence against any individual in violation of the laws of any State or the United States, or attempts or conspires to do so, shall be punished... for murder, by death or life imprisonment, or a fine under this title, or both... for attempting or conspiring to commit murder... by imprisonment for not more than ten years or a fine under this title, or both."

This criminal complaint is based on these facts:

See attached Affidavit of Federal Bureau of Investigation
(FBI) Special Agent Michael Joseph Ward

Approved as to Form:


AUSA William Frentzen

☒ Continued on the attached sheet.


Complainant's signature

Michael Joseph Ward, Special Agent
Printed name and title

Sworn to before me and signed in my presence.

Date: 12/4/15


Judge's signature

City and state: San Francisco, California

Hon. Sallie Kim, U.S. Magistrate Judge
Printed name and title

1-mjw

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SUSAN Y. SOONG
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

**SEALED BY ORDER
OF COURT**

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION-

3-15-71548

SK

IN RE: CRIMINAL COMPLAINT)	AFFIDAVIT OF SPECIAL AGENT MICHAEL
)	JOSEPH WARD IN SUPPORT OF COMPLAINT
FOR WEN BING LEI, a/k/a "RAYMOND)	
LEI")	
)	
)	
)	
)	

I, Michael Joseph Ward, a Special Agent with the Federal Bureau of Investigation (FBI), being
duly sworn, depose and state as follows:

1. I submit this affidavit in support of a criminal complaint and arrest warrant for Wen Bing
LEI, also known as (aka) Raymond LEI. There is probable cause to believe LEI engaged in activity
which constitutes Murder in Aid of Racketeering in violation of 18 U.S.C. § 1959(a)(1) based on his
involvement in the murder of Allen Leung, who was killed on February 27, 2006. I have not included
all case details known to me, only those details sufficient to establish probable cause of the violations of
the statute listed in Part D of the Background Section.

I. BACKGROUND

1 **A. AGENT QUALIFICATIONS**

2 2. I have been a Special Agent of the FBI since November 5, 2014. My training consisted of a
3 20-week FBI new agents course during which I received instruction on various aspects of federal
4 investigations. My training included the use of a variety of law enforcement techniques, including
5 confidential sources and undercover officers, physical surveillance, electronic surveillance, investigative
6 interviews, search and arrest warrants, and the analysis of seized records.

7 3. During my employment as a Special Agent, I have been tasked with investigating organized
8 crime investigations. As part of these investigations and other investigations I've supported, I was
9 involved in analyzing, collecting, and reviewing social media account data and content, criminal
10 histories, and telephone records. I also obtained intelligence information from various law enforcement
11 and public sources. I have participated in numerous subject interviews, surveillances, and execution of
12 search warrants and arrest warrants.

13 4. Prior to my employment as an FBI Special Agent, I was employed as an FBI Staff Operations
14 Specialist for approximately six years in the Counterterrorism Division at FBI Headquarters. In this
15 capacity, I conducted analysis, obtained legal authorizations, and provided program management and
16 guidance to FBI field offices in support of counterterrorism operations.

17 5. I am an investigative or law enforcement officer of the United States, within the meaning of
18 18 U.S.C. § 2510(7), and am empowered by law to conduct investigations of and to make arrests for
19 offenses enumerated in 18 U.S.C. § 2516.

20 **B. COMPLAINANT**

21 6. **Wen Bing LEI aka Raymond LEI (hereafter LEI)** is a 49-year old believed to reside in the
22 San Francisco Bay Area of California. LEI is a member of the Hop Sing Tong (HST) and the Chee
23 Kung Tong (CKT)¹, and a former close associate of Raymond "Shrimp Boy" Chow. LEI and Chow are

24 1 The CKT is believed to be an offshoot of the Hung Mun. The Hung Mun, also referred to as a
25 Chinese secret society and the Chinese Freemasons, among other names, began in China sometime in
26 the mid-17th century as a result of a revolutionary movement in China. Hung Mun members who
27 emigrated from China throughout the world in the mid-late 19th century brought their Hung Mun
28 customs and rituals with them and many new organizations sprung from these Hung Mun roots. Many
of these organizations became known as Tongs in the United States. Many Tongs maintained their
secretive hierarchies, rituals and ceremonies but were able to operate much more openly outside China.
Some Tongs are purely social groupings that focused on mutual aid and recreation for members. Others
serve administrative and judicial functions in the community. Still others engage in criminal activities

also members of the Hop Sing gang (HSG)². LEI is believed to have been involved in the murder of Allen Leung (killed February 27, 2006). LEI engaged in this activity in support of a criminal enterprise involving the San Francisco-based HST and CKT. LEI was involved in the murder of Allen Leung with the intention of taking Leung's position as Dragonhead, or leader, of both Tongs. Although Raymond "Shrimp Boy" Chow took the Dragonhead position instead, LEI's status in the Tongs improved once Chow took over, and his intent was to assume the Dragonhead. Until they had a falling out, LEI was below Chow in the hierarchy of the Tongs and their criminal enterprise. Following the 2014 arrest of Chow, reporting suggests LEI has remained very active and influential in the Tongs and remains involved in additional criminal activity, including drug trafficking.

C. OTHER PRIMARY INDIVIDUALS INVOLVED

7. **Kwok Cheung Chow aka Raymond Chow aka Shrimp Boy (hereafter Chow)** was a long-time associate of LEI until they had a falling out. Chow is currently on trial for Conspiracy to Conduct the Affairs of an Enterprise Through a Pattern of Racketeering based on his conduct as the Dragonhead of the CKT, VICAR Conspiracy to Commit Murder in Aid of Racketing of Jim Tat Kong, and VICAR Murder in Aid of Racketeering of Allen Leung, among other charges. The indictments against Chow relative to these murders are based in part on the statements made by the same cooperators referenced in this complaint. Until his arrest in March 2014, Chow served as the Dragonhead of the CKT. Chow was sworn in to this position shortly after the murder of the previous Dragonhead, Allen Leung, in 2006. Chow's criminal history includes a guilty plea in federal court for racketeering, involving murder for hire, conspiracy to distribute heroin, arson, and conspiracy to collect extensions of credit. He also has state felony convictions for robbery using a firearm and assault with a firearm on a person. Chow served time in state prison for both charges. According to a plea agreement Chow signed when pleading guilty to federal racketeering charges in 2000, Chow was an admitted member of the Hop Sing Tong and one of the leaders of criminal activities engaged in by the members of the HST.

such as protection rackets, extortion, and strong-arm methods for controlling tolerated vices such as gambling and prostitution. Two such organizations are the CKT and HST.

² The HSG is a gang associated with the criminal activities tied to the HST. Most HSG members are also members of the HST, but not all HST members are associated with the HSG.

1 **8. Kam Wong (hereafter Wong)** was a HST and HSG member. Wong was loyal to Chow,
2 LEI, and the HST until he was convicted and sentenced on state charges for killing a rival gang member.
3 Wong is currently serving a thirty year prison sentence for this killing. Wong felt Chow and LEI did not
4 do enough to help Wong with his legal problems so he began providing information to a Sheriff's
5 Deputy in prison and then to the FBI. Recently Wong has pled guilty to Conspiracy to Conduct the
6 Affairs of an Enterprise through a Pattern of Racketeering Activity, including the murder of Yecan Lu
7 (killed September 16, 2005), and his involvement in the murder of Allen Leung under a plea agreement.
8 Wong is scheduled to testify against Chow regarding the Allen Leung murder. In addition to feeling
9 betrayed by Chow and LEI, Wong has decided to enter into a plea agreement with a provision for
10 providing full and complete information and to testify in hopes of receiving a less severe punishment for
11 the murders he has plead guilty to under his plea agreement and also hopes he might receive a reduction
12 in the sentence he is currently serving.

13 **9. Kongphet Chanthavong aka Joe (hereafter Chanthavong)** was a member of the CKT and
14 HST. Chanthavong met Chow while they were incarcerated in federal prison in 2001, and served as
15 Chow's driver and personal security after they were both released in the early 2000s. Chanthavong was
16 inducted into the HST based on support from Chow. Chanthavong was also inducted in to the CKT at
17 the same ceremony in which Chow became the new Dragonhead. Chanthavong's criminal history
18 includes two state felony convictions for the possession and/or purchase of cocaine base for sale,
19 firearms related charges, and conspiracy to export stolen vehicles. Chanthavong was a co-defendant
20 with Chow in the referenced racketeering indictment, and has been in custody since his arrest in March
21 2014. Chanthavong has entered a guilty plea to racketeering and multiple underlying offenses
22 associated with the Chow case, and has also plead guilty to his involvement in the Leung murder.
23 Chanthavong entered into a plea agreement with a provision for full and complete information and
24 testimony. Chanthavong has testified regarding his involvement in the racketeering enterprise and
25 details of some of the underlying offenses as well as Chow's involvement in the Leung murder.
26 Chanthavong stated he decided to cooperate with the government because he felt betrayed by Chow for
27 bringing in an undercover agent in to their group, and Chow put his own greed before the well-being of
28

1 his "brothers". Chanthavong is also testifying in hopes of receiving a lesser sentence for the charges he
2 has plead guilty to.

3 10. **Thau Benh Cam aka Kevin aka Ah To (hereafter Cam)** was the head of the HSG in
4 Sacramento and a member of the CKT and HST. Cam was closely associated with Chow and LEI until
5 he was incarcerated on drug trafficking charges. This was Cam's first felony conviction, and he is
6 currently serving an 18 year sentence for his involvement in dealing ecstasy. Cam stated LEI became
7 Cam's original supplier shortly after the two met through Chow. Although Cam was close with Chow
8 and LEI, and dated Chow's niece for approximately eight years, Cam decided to cooperate with the
9 government in hopes of receiving a lesser sentence for charges associated with his involvement the
10 murder of Allen Leung, which he has pled guilty to. Cam also hopes to receive a reduction in the
11 sentence he is currently serving.

12 11. **"Dai Sau"** (phonetic Chinese Cantonese), who is currently unidentified, is reported by
13 multiple Hop Sing Tong members- including Chanthavong, Cam, and Wong- to be a high ranking
14 member in the Tong who is loyal to Chow. Chow was intercepted on a 2008 FBI wiretap asking where
15 Dai Sau was. Wong admitted to following both Dai Sau and LEI and confirmed Dai Sau and LEI were
16 close associates.

17 12. **"Bong Zhi"** (phonetic Chinese Cantonese), identified as **Yuan Bang Wu** is reportedly a
18 loanshark in Chicago and is an associate of Chow, according to Wong. Telephone records show Bong
19 Zhi and Chow have historically been in contact with each other. Bong Zhi has been a subject of ongoing
20 FBI Chicago investigations and has a history of involvement with narcotics trafficking, sports
21 bookmaking, extortion, and gang formation.

22 ***D. STATUTES VIOLATED***

23 13. **Title 18, United States Code, Section 1959(a)(1)(5)** provides:

24 "Whoever, as a consideration for the receipt of, or as consideration for a promise or agreement to
25 pay, anything of pecuniary value from an enterprise engaged in racketeering activity, or for the purpose
26 of gaining entrance to or maintaining or increasing position in an enterprise engaged in racketeering
27 activity, murders... or threatens to commit a crime of violence against any individual in violation of the
28 laws of any State or the United States, or attempts or conspires to do so, shall be punished... for murder,

1 by death or life imprisonment, or a fine under this title, or both... for attempting or conspiring to commit
2 murder... by imprisonment for not more than ten years or a fine under this title, or both.”

3 **III. STATEMENT OF PROBABLE CAUSE**

4 **A. Murder of Allen Leung**

5 14. In approximately December 2005, LEI met with Wong and asked if Wong would conduct a
6 homicide. Wong believed LEI was asking because Wong had proven himself by killing Yecan Lu, at
7 the Geneva Pub in September 2005. Without LEI providing any more details, Wong said he would do
8 it. Approximately two to three weeks later, circa January 2006, Wong met with Lei again. During this
9 meeting, LEI told Wong “the hit” he wanted Wong to conduct was of an “OG Hop Sing” member Chow
10 wanted killed. LEI then said it would occur in Leung’s store on Jackson Street in San Francisco’s
11 Chinatown. Because Wong worked nearby, he did not want to be consistently seen in an area where he
12 committed a homicide. As a result, Wong declined LEI’s request to carry out this murder.

13 15. In soliciting Wong, LEI was attempting to fulfill his duties of finding the shooter in the
14 overall plan to murder Leung. According to Chanthavong, he was directed by Chow to work with LEI
15 and Cam to kill Leung. In late 2005 or early 2006, Chanthavong drove Chow to a bar in Oakland.
16 During the drive, Chow complained to Chanthavong that Leung would not loan Chow money from the
17 Tong and Chow wanted to replace Leung with LEI in the Dragonhead position. When they arrived at
18 the bar, Chanthavong noted LEI and Cam were also present. All four men- Chanthavong, Chow, Cam,
19 and LEI- eventually met outside of the bar and Chow told the group he wanted them to “take care of”
20 (murder) someone, which Chanthavong later learned was Leung. Chow specifically told Chanthavong
21 and Cam they needed to coordinate with and support LEI in doing this. LEI told them he would be
22 responsible for finding the shooter, and LEI wanted Chanthavong to steal a car for use in the hit.
23 Chanthavong was also directed to assist Cam with surveillance beforehand. Chanthavong and Cam
24 spent several weeks doing surveillance on Leung’s business and reporting their findings to one another
25 as to not duplicate efforts. However, Chanthavong said he got cold feet and told Cam he did not want to
26 participate any further in the murder. After that meeting, Chanthavong never discussed or heard
27 anything additional from LEI or Cam about the murder.

28 16. Chanthavong’s statements are further supported by Cam. Cam was present for many

1 conversations with Chow and LEI when they expressed their displeasure with the way Leung was
2 running the CKT, particularly the way Leung handled the Tong's money. During one of these
3 discussions between Chow and LEI, Chow became very upset and told Cam to go fire some shots at the
4 Tong in order to intimidate Leung. Cam borrowed a firearm from Chanthavong and during the early
5 morning of March 12, 2005, Cam fired several shots into the Hop Sing Tong building. Approximately
6 one month prior to the murder of Leung, Cam was instructed by Chow to work with LEI and have
7 Leung killed. Cam asked Chow if he could get Chanthavong involved since Cam did not have any
8 "boys" who lived in San Francisco. After the conversation with Chow, Cam coordinated with LEI on
9 how to recruit additional people to help them, conducting surveillance, and planning the murder.

10 17. LEI provided Cam with the license plate of Leung's car, information on what parking garage
11 Leung used, and information about Leung's business, including the fact that there was a video camera in
12 the business. According to Clifton Leung, Leung's son, approximately three to four weeks prior to his
13 father's murder, LEI visited Leung's office, where he was eventually killed. LEI saw the security
14 monitors in the office, and asked Leung and Clifton Leung if a video recording system was hooked up to
15 the cameras. They both informed LEI the security system did not record.

16 18. LEI offered to provide Cam \$20,000 for Cam to use as payment to recruit others to assist
17 with the murder. Cam noted he was willing to be involved because of his closeness to Chow and LEI,
18 but he needed some incentive for others to be willing to take part. As the planning continued, Cam, LEI,
19 Chanthavong, and several of Cam's associates conducted surveillance on Leung's business and the
20 routes Leung took to move throughout San Francisco's Chinatown.

21 19. After Chanthavong had backed out, Cam and two of his associates met with LEI at a hotel in
22 Oakland. LEI told them he was going to a banquet and Leung was going to be there as well. LEI told
23 Cam the banquet could be a good opportunity to murder Leung. Cam's associates decided they did not
24 want to be involved, but LEI told Cam he should still go to scope the place out. LEI said if Cam missed
25 Leung coming out of the banquet, Cam may still be able to get him where Leung normally parked his
26 car. Cam then went into San Francisco and parked around the corner from where the banquet was being
27 held. LEI later called Cam and told Cam that Leung was departing the banquet. Cam understood he
28 was being instructed by LEI to kill Leung. Cam hesitated but eventually pulled around the corner

1 looking for Leung, but could not find him. This failed attempt made Cam realize he did not want to be
2 involved in this murder and backed out of any further attempts.

3 20. According to Wong, Bong Zhi arrived in Oakland from Chicago one to two days before
4 Leung was killed. Wong initially met Bong Zhi at a gambling den where Wong, Dai Sau, Chow, and
5 LEI all frequented. After Bong Zhi arrived at the gambling den, Wong was instructed by Dai Sau to
6 take him to Chow's residence. Wong, Dai Sau, Bong Zhi, and another one of Dai Sau's followers,
7 Nhang Chu, all went to Chow's residence in the Sunset District of San Francisco. Wong and Nhang Chu
8 waited in Chow's living room while Chow, Dai Sau, and Bong Zhi met in a back room.

9 21. On the day of the murder- February 27, 2006 - Wong drove Dai Sau and Bong Zhi from
10 Oakland to San Francisco. Wong eventually parked approximately a block away from Leung's
11 business. Dai Sau and Bong Zhi exited Wong's vehicle and Wong saw both men go to the entrance of
12 Leung's business. Approximately two minutes later, they both came out and rushed back to Wong's car.
13 Once they were back in the car, Wong immediately left the area and headed towards Oakland. As they
14 were crossing the Bay Bridge, Dai Sau took apart his and Bong Zhi's pistols and threw them out of the
15 car and over the bridge.

16 21. A few days after the murder, Wong met with LEI, and LEI told Wong that Leung was killed
17 because Leung had been preventing some of the youngsters in the Tong from getting promoted.

18 22. Approximately two weeks after the murder, Dai Sau began acting paranoid. Dai Sau was
19 convinced the police were coming to arrest him and locked himself in a bathroom and would not come
20 out. LEI arrived and began beating on the door. Dai Sau eventually allowed LEI in and they had a very
21 long conversation in the bathroom. After the conversation with LEI, and per LEI's suggestion, Dai Sau
22 fled to New York.

23 23. Cam attended Leung's funeral and brought a significant number of his followers with him at
24 the request of Chow. Chow wanted Cam to bring all of his boys in part to show support, but really as a
25 show of strength. This show of strength and support included Cam and his boys surrounding LEI during
26 the funeral and reciting a poem along with LEI. The goal of this was to assist with Chow and LEI's
27 desire to place LEI as the next Dragonhead.

28 24. Although Chow ended up taking the Dragonhead position instead of LEI, LEI's intent was to

1 be Dragonhead and his status in the Tongs improved once Chow took over. Until they had a falling out,
2 LEI was below Chow in the hierarchy of the Tongs and their criminal enterprise. Following the 2014
3 arrest of Chow, reporting suggests that LEI has remained very active and influential in the Tongs and
4 remained involved in additional criminal activity, including drug trafficking.

5 **IV. CONCLUSION**

6 25. Based on the aforementioned facts, I believe there is probable cause LEI violated Title 18,
7 United States Code, Section 1959.

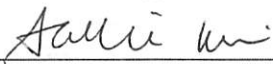
8 26. Under penalty of perjury, I swear that the foregoing is true and correct to the best of my
9 knowledge, information, and belief.

10
11 

12 Michael Joseph Ward
13 Special Agent
14 Federal Bureau of Investigation

15 SWORN BEFORE ME
16 ON ~~NOVEMBER~~ 4, 2015.

December 5

17 

18 HON. SALLIE KIM
19 United States Magistrate Judge

20 Approved as to form:



21 William Frentzen
22 Assistant United States Attorney
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